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ITEM #3

P.C. MEETING: 03/18/04

PUBLIC HEARING

COMMUNITY: Montclair/4th Supervisorial District

APPLICANT: Eduardo Tan

JCS/INDEX: 12050CF1/W54-111/TPM16511/2003/GPA01/TPM01

PROPOSAL: A) General Plan Land Use District Amendment from RS-20,000 to RS on 1 acre.

B) Tentative Parcel Map 16511 to create 4 parcels on one acre.

LOCATION: Vernon Avenue and Howard Street, northwest corner.

REP(S): Eduardo Tan

STAFF: Tina Twing

Tina Twing, Planner, presented the staff report, which is on file with the Current Planning Division of the Land Use Services Department.

There followed a brief discussion regarding opposition to reduction of lot sizes in the Applegate project to the north of the proposal, mailing of notices, height and type of fencing used to separate project from horse property to the west, and the fact that no letters of opposition were received regarding the proposal.

PUBLIC TESTIMONY

The following people testified in favor of the proposal:

Kevin Ling, Project Civil Engineer

Simon Lee, Project Architect

Mark Ten, Applicant's Representative

Mr. Lee stated he was available to answer any questions of the Commission regarding the project. He also stated that they were in agreement with the Conditions of Approval with the exception of Condition #23 requiring a 15-foot setback, which would place the 7 foot 6 inch wall abutting the house. Mr. Lee suggested utilizing the City of Montclair recommendation of a 5 foot setback for the 7 ft 6 in wall on the east side of lot 2 with the understanding that they may have to file for a Variance because the County only allows for a 4 ft wall in the setback.

There followed a brief discussion regarding the purpose for all the houses taking access off of Vernon.

The following person testified in opposition to the proposal:

Sue Mayberry, Ontario Resident

Ms. Mayberry stated that her neighbor also had concerns regarding the proposal. Her main concerns were regarding, late notification, insufficient time to review staff report, being

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consistent with the requirements of the General Plan, lots being smaller than ½ acre, obstruction of view and invasion of privacy due to closeness of two story homes, and overcrowding of schools. Ms. Mayberry provided the Commission with photographs of the proposal from her property.

Mr. Lee stated that they would consider utilizing a higher wall and allowing windows only on the north and south side of the two-story home on lot 1 with a high window in the bathroom.

There being no one else in the audience to speak on this item, Chairman Laning closed the public testimony.

DISCUSSION

Commissioner Dowling referred to the applicant's concern regarding the block wall.

Ms. Twing stated that staff would not be in favor of a four-foot block wall along a street like Vernon, however would like the wall to match the wall on the Applegate tract which is 7 feet 6 inches high. She stated that the applicant did not file a variance with their application, therefore a Variance was not advertised. She felt that staff could make the findings for the Variance. She also stated that if the applicant builds a higher than 6-foot wall along the west property line a variance would be required.

Commissioner Kwappenberg motioned to continue this item until the wall variance issue is resolved.

Commissioner Dowling seconded the motion with the understanding that the applicant would be willing to redo the walls consistent with the concerns of the community.

COMMISSION ACTION

CONTINUE, no date specific.

MOTION: Kwappenberg **SECOND:** Dowling

AYES: Dowling, Kwappenberg, Laning, Mathews

NOES: None

ABSENT: Cramer

ABSTAIN: None